UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

OLIVIA RUX, JAMIE OWENS, INDIVIDUALLY AS NEXT FRIEND OF I.M.O., A MINOR, SHARLA COSTELOW, INDIVIDUALLY AND AS NEXT FRIEND OF E.C. AND B.C., MINORS, GEORGE COSTELOW, DOROTHY COSTELOW, NOVELLA WIGGENS, INDIVIDUALLY AND AS NEXT FRIEND OF J.R.M. JR., A MINOR, LORIE D. TRIPLETT, INDIVIDUALLY AND AS NEXT FRIEND OF A.T., A MINOR, AND S.R.T, A MINOR, JENNIFER CLODFELTER, INDIVIDUALLY AND AS NEXT FRIEND OF N.C. A MINOR, KENYON EMBRY, INDIVIDUALLY AND AS NEXT FRIEND OF C.K., RONALD W. FRANCIS, SANDRA FRANCIS, DAVID FRANCIS, JAMES FRANCIS, JAQUELINE SAUNDERS, INDIVIDUALLY AND AS NEXT FRIEND OF I.S. AND J.S, MINORS, ROGELO SANTIAGO, SIMEONA SANTIAGO, SARAH GUANA ESOUIVEL, JESSE NIETO, THOMAS WIBBERLY, THEODIS TRIPLETT, WAYNE TRIPLETT, REED TRIPLETT, SAVANNAH TRIPLETT, KEVIN TRIPLETT, FREDDIE TRIPLETT, GARY SWENCHONIS, SR., DEBROAH SWENCHONIS, SHALALA SWENCHONIS-WOOD, KATE BROWN, SEAN WALSH, KEVIN ROY, LOU GUNN, MONA GUNN, JAMAL GUNN, JASON GYNN, ANTON J. GUNN, LEROY PARLETT, ETTA PARLETT, INDIVIDUALLY AND AS NEXT FRIEND OF H.P., A MINOR, KERA MILLER, MATTHEW PARLETT, JOHN CLODFELTER, GLORIA GLODFELTER, JOSEPH CLODFELTER, TONI WIBBERLY, DIANE MCDANIELS, FREDERICKA MCDANIELS-BESS, TERESA SMITH, THE ESTATES OF KENNETH EUGENE CLODFELTER, RICHARD COSTELOW, LAKEINA MONIOUE FRANCIS, TIMOTHY LEE GAUNA, CHERONE LOUIS GUNN, JAMES RODERICK MCDANIELS, MARC IAN NIETO, RONALD SCOTT OWENS, LAKIBA NICOLE PALMER, JOSHUA LANGDON PARLETT, PATRICK HOWARD ROY, KEVIN SCOTT RUX, RONCHESTER MANANGA SANTIAGO.

Case No. 08 Civ. 6588 (AKH)

DECLARATION OF BRENT T STARKS

TIMOTHY LAMONT SAUNDERS, GARY GRAHAM SWENCHONIS JR., ANDREW TRIPLETTT, AND CRAIG BRYAN WIBBERLY,

Petitioners,

-against-

ABN-AMRO BANK N.V., AMERICAN EXPRESS BANK LTD., BANK OF NEW YORK, BANK OF CHINA, CITIBANK N.A., DEUTSCHE BANK A.G., DEUTSCHE BANK TRUST COMPANY AMERICAS, HSBC BANK USA, N.A., and JPMORGAN CHASE BANK N.A.,

Respondents.

DEUTSCHE BANK A.G. and DEUTSCHE BANK TRUST COMPANY AMERICAS

Respondents and Third-Party Petitioners,

-against-

AL HADHA EXCHANGE, AL JAZIRAH ENTERPRISE FOR PROJECTS DEVELOPMENT AND TRADING - TRANSPORT, AL MABARA TRADING EST., ALBANK ALSAUDI ALFRANSI (also known as BANQUE SAUDI FRANSI d/b/a SAUDI FRENCH BANK), ARAB BANK PLC., BANK OF INDIA, BANK OF KHARTOUM, BANK OF SUDAN, BANQUE BELGOLAISE PARIS, BANQUE NATIONALE DE PARIS. BELGOLAISE, BNP PARIBAS, BNP PARIBAS S.A., BNP PARIBAS SUISSE SA, BRITISH ARAB COMMERCIAL BANK LTD., BYBLOS BANK EUROPE S.A., CALYON LONDON (formerly known as CREDIT LYONNAIS LONDON), CALYON NY (formerly known as CREDIT LYONNAIS NY), COMMERZBANK AG, CREDIT LIBANAIS SAL, CREDIT SUISSE FIRST BOSTON, CREDIT SUISSE, EL NILEIN INDUSTRIAL DEVELOPMENT BANK (also

known as EL NILEIN BANK), EMIRATES BANK INTERNATIONAL, ETS LA CONCORDE, FAISAL ISLAMIC BANK OF EGYPT, FARMERS COMMERCIAL BANK, FEDERAL EXCHANGE DUBAI; FIRST INTERNATIONAL MERCHANT BANK, GENERALE BANK, HSBC BANK PLC, KENANA SUGAR CO. LTD., LIBERTY INVESTMENT COMPANY, LLC., M/S SABENA, MALAYAN BANKING BERHAD (also known as MAYBANK), NATIONAL BANK OF ABU DHABI (also known as N.B.A.D. KHARTOUM), NATIONAL BANK OF SHARJAH (also known as SHARJAH ISLAMIC BANK), NATIONAL ELECTRICITY CORP. (KHARTOUM AREA), NATIONAL SOCIETE GENERALE BANK S.A., RICHMOND MERCANTILE LIMITED (FZC), SAUDI BRITISH BANK (also known as SABB), SOCIETE GENERALE, SUDAN AIRWAYS, SUDAN SHIPPING LINE, SUDAN TELECOMMUNICATION COMPANY LTD., SUDANESE FREE TRADE ZONE AND MARKET COMPANY, SUDANESE FRENCH BANK, THE SUDANESE PETROLEUM CORP., TELECOM EGYPT SAE-INTERNATIONAL COMMUNICATION SECTOR, TRANSNATIONAL BANK LTD., UNITED EUROPEAN BANK, AND UNITED OVERSEAS BANK, Third Party Respondents and Adverse Claimants.

BRENT T. STARKS declares as follows pursuant to 28 U.S.C. § 1746:

- 1. I am an attorney admitted to practice before this Court and an associate with the firm of Covington & Burling LLP, counsel for Deutsche Bank A.G. and Deutsche Bank Trust Company Americas' (hereinafter "Deutsche Bank") in the above-captioned action.
- 2. On October 21, 2008, I caused a copy of the "Notice to Potential Claimants to Certain Funds Blocked Pursuant to Sudanese Sanctions Regulations of the United

States Department of the Treasury" (hereinafter "the Notice"), approved by this Court on October 17, 2008 and attached as Exhibit A, to be published in the International Herald Tribune daily newspaper. The affidavit of publication, attached as Exhibit B, attests that the Notice appeared in the "Legal Notices" section of the International Herald Tribune on the following dates: October 23, 2008, October 30, 2008, November 6, 2008, and November 13, 2008. *See* Exhibit C

3. On or about October 31, 2008, I caused a banner advertisement with a hypertext link to the Notice to be displayed at the following website: www.allafrica.com between November 3, 2008 and November 21, 2008. See Exhibit D. The Banner advertisement read as follows:

NOTICE TO POTENTIAL CLAIMANTS TO CERTAIN FUNDS BLOCKED PURSUANT TO SUDANESE SANCTIONS REGULATIONS OF THE UNITED STATES DEPARTMENT OF THE TREASURY

See Exhibit E. Specifically, the website displayed a banner advertisement that linked the viewer to www.ruxlitigation.org, which contains the Notice in both English and Arabic. See Exhibits F, G. Under the terms of the advertising agreement reached with www.allafrica.com, the Banner advertisement was required to appear up to 400,000 times when (a) the www.allafrica.com site was accessed by a user in Sudan, or (b) a user, irrespective of location, accessed an article

concerning Sudan at www.allafrica.com/sudan/.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of December in New York, New York.

Brent T. Starks